

CHAPTER 114: JEWELRY AUCTIONS

SECTION

114.01	Application for License
114.02	License Fee and Conditions
114.03	False or Misleading Statements by Auctioneer
114.04	Record of Sales
114.05	Special Restrictions

114.01 APPLICATION FOR LICENSE

Any person desiring to conduct a jewelry auction shall file an application for a license with the City Controller accompanied by a sworn statement setting out the following:

- (a) Name and address of person desiring to hold the auction
- (b) Date on which the person began jewelry business in the city
- (c) Names and addresses of individuals who will auction merchandise
- (d) Date or dates on which the auction will be held and the place where auction will be held
- (e) Date or dates of any previous jewelry auctions held by applicant and place or places where the auctions were held
- (f) A notarized, itemized inventory of all jewelry to be offered in the sale with date of purchase of each item thereof, the name and address of the person from whom the item was purchased, the price paid by the applicant, and a true description thereof
- (g) That the jewelry set forth in the itemized inventory is not consigned and that all of the items have been owned by the applicant for at least six months prior to the filing of the application ('72 Code, 32.05) (Ord. 1532-1954)

114.02 LICENSE FEE AND CONDITIONS

- (a) The City Controller shall grant a jewelry auction license to an applicant who has filed the information required, on the payment by the applicant of a minimum fee of \$75 and an additional fee of \$15 for each day after the first day that the auction is to be held, and the posting with the City Controller of a bond in the sum of \$10,000 which shall be conditioned to indemnify any purchasers at the jewelry auction who suffer any loss by reason of misrepresentation in the sales. No fee or bond shall be required of receivers or other officers conducting the auction sales by order of a court of competent jurisdiction.

(b) No jewelry auction license shall be granted to any person who has not been established in the jewelry business in the city continuously for at least two years immediately prior to the time of the application. ('72 Code, 32.05) (Ord. 1532-1954)

114.03 FALSE OR MISLEADING STATEMENTS BY AUCTIONEER

No person offering for sale or selling jewelry at auction shall make any statement which is false in any material particular or tends to mislead or which misrepresents in any way merchandise sold or offered for sale, or make any statement regarding the value of the jewelry which is not a statement of fact, or make any untrue statement as to the current price at which like merchandise is being offered at retail by other persons. No label tag or description shall contain any statement which is false in any material particular or tends to mislead or which misrepresents in any way the merchandise to which it is attached. ('72 Code, 32.05) (Ord. 1532-1954) Penalty, see 10.99

114.04 RECORD OF SALES

Each person, his employee, or agent who shall conduct a jewelry auction shall keep a daily record of each item of merchandise sold for \$10 or more. The record shall contain a true description of the merchandise and the name and address of the purchaser, with a statement of the price paid by the purchaser for the merchandise. The purchaser shall receive a copy of this record. Copies of all the records shall be delivered to the City Controller every ten days during the continuation of the auction and at the end of the auction for the remaining days. The City Controller may require copies of the records to be delivered at more frequent intervals. ('72 Code, 32.05) (Ord. 1532-1954)

114.05 SPECIAL RESTRICTIONS

All sales shall be conducted on the premises which have been regularly used by the person for the sale of the articles described in 114.01 for at least three months before the time of application for the jewelry auction license. No jewelry auction sale shall be conducted during the months of November and December nor shall the auction be held at hours other than those kept by the Retail Merchants Association. ('72 Code, 32.05) (Ord. 1532-1954) Penalty, see 10.99